

WHEREFORE, Brent Porterfield respectfully requests this Honorable Court enter judgment in favor of Brent Porterfield and American Investment Fund II, LLC and against R. Trent Curry, on the Cross-Claim filed by R. Trent Curry

**AFFIRMATIVE DEFENSES OF DEFENDANT BRENT PORTERFIELD
TO CROSS-CLAIM BY R. TRENT CURRY**

4. The claims asserted in the Cross-Claim of R. Trent Curry fail to state a cause of action pursuant to applicable law.
5. The allegations set forth in the Cross-Claim filed by R. Trent Curry fail to state a cause of action against Brent Porterfield or American Investment Fund II, LLC.
6. In the event that it is judicially determined that the allegations set forth in the Cross-Claim of R. Trent Curry state a cause of action against Brent Porterfield or American Investment Fund II, LLC, which is denied by Brent Porterfield, the acts and omissions alleged in the Cross-Claim were not acts and omissions of Brent Porterfield, but rather acts and omissions of other parties.
7. The claims asserted in the Cross-Claim of R. Trent Curry are barred pursuant to applicable law, including, but not limited to, the applicable statute of limitations or the equitable doctrine of laches.
8. R. Trent Curry is estopped from asserting the claims which are the subject matter of his Cross-Claim or R. Trent Curry has waived those claims.

WHEREFORE, Brent Porterfield respectfully requests this Honorable Court enter judgment in favor of Brent Porterfield and American Investment Fund II, LLC and against R. Trent Curry, on the Cross-Claim filed by R. Trent Curry

**ELION, GRIECO, CARLUCCI
& SHIPMAN, P.C.**
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